## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

| UN | IITED STATES OF AMERICA,   | )<br>8:14CR237   |  |  |
|----|--|--|--|--|
|    | Plaintiff,   | ) 0.14CR237  |  |  |
|    | vs.  | DETENTION ORDER  |  |  |
| ΑC | DAM M. CROM,   |  |  |  |
|    | Defendant.   |  |  |  |
| A. | Order For Detention After conducting a detention hearing pur Reform Act, the Court orders the above- U.S.C. § 3142(e) and (I).   | rsuant to 18 U.S.C. § 3142(f) of the Bail<br>-named defendant detained pursuant to 18  |  |  |
| B. | <ul> <li>Statement Of Reasons For The Detention         The Court orders the defendant's detention because it finds:         X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required.         X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.     </li> </ul> |  |  |  |
| C. | that which was contained in the Pretrial (a) Nature and circumstances of (b) The crime: distribution U.S.C. § 841(a)(1) car imprisonment and a magnetic (b) The offense is a crime (c) The offense involves a  | of methamphetamine in violation of 21 or of methamphetamine in violation of 21 or of five years aximum of forty years imprisonment.  |  |  |
|    | (a) General Factors: The defendar may affect wh The defendar The defendar X The defendar X The defendar community.   | against the defendant is high. cs of the defendant including:  Int appears to have a mental condition which mether the defendant will appear. Int has no family ties in the area. Int has no steady employment. Int has no substantial financial resources. Int is not a long time resident of the Int does not have any significant community |  |  |

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|          |             |              | X Past conduct of the defendant: violation of supervised                           |
|----------|-------------|--------------|--|
|          |             |              | release.   |
|          |             |              | X The defendant has a history relating to drug abuse.                              |
|          |             |              | The defendant has a history relating to alcohol abuse.                             |
|          |             |              | X The defendant has a significant prior criminal record.                           |
|          |             |              | The defendant has a prior record of failure to appear at                           |
|          |             | <i>(</i> 1.) | court proceedings.   |
|          |             | (b)          | At the time of the current arrest, the defendant was on:                           |
|          |             |              | Probation  |
|          |             |              | Parole   |
|          |             |              | X Supervised Release - D.Nebr. 8:09CR134/8:14CR234                                 |
|          |             | (c)          | Other Factors:   |
|          |             |              | The defendant is an illegal alien and is subject to                                |
|          |             |              | deportation.   |
|          |             |              | The defendant is a legal alien and will be subject to                              |
|          |             |              | deportation if convicted.  |
|          |             |              | The Bureau of Immigration and Custom Enforcement                                   |
|          |             |              | (BICE) has placed a detainer with the U.S. Marshal.                                |
|          |             |              | Other:   |
| V        | (4)         | Thom         | ature and apriouspage of the department but the defendant's                        |
|          | (4)         |              | ature and seriousness of the danger posed by the defendant's                       |
|          |             |              | se are as follows: the nature of the charges in the Indictment and                 |
| V        | <b>(</b> 5) |              | efendant's criminal history.   |
| <u>X</u> | (5)         |              | ttable Presumptions ermining that the defendant should be detained, the Court also |
| relied   |             |              | e following rebuttable presumption(s) contained in 18 U.S.C. §                     |
| 3142(e)  |             |              | the Court finds the defendant has not rebutted:                                    |
| 3142(6)  | Χ           |              | That no condition or combination of conditions will reasonably                     |
|          |             | _ (a)        | assure the appearance of the defendant as required and the                         |
|          |             |              | safety of any other person and the community because the Court                     |
|          |             |              | finds that the crime involves:   |
|          |             |              | (1) A crime of violence; or  |
|          |             |              | (2) An offense for which the maximum penalty is life                               |
|          |             |              | imprisonment or death; or  |
|          |             |              | X (3) A controlled substance violation which has a                                 |
|          |             |              | maximum penalty of 10 years or more; or  |
|          |             |              | (4) A felony after the defendant had been convicted of                             |
|          |             |              | two or more prior offenses described in (1) through                                |
|          |             |              | (3) above, and the defendant has a prior conviction                                |
|          |             |              | for one of the crimes mentioned in (1) through (3)                                 |
|          |             |              | above which is less than five years old and which                                  |
|          |             |              | was committed while the defendant was on pretrial                                  |
|          |             |              | release  |
|          | X           | _ (b)        | That no condition or combination of conditions will reasonably                     |
|          |             | . ,          | assure the appearance of the defendant as required and the                         |
|          |             |              | safety of the community because the Court finds that there is                      |
|          |             |              | probable cause to believe:   |

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X (1) That the defendant has committed a controlled substance violation which has a maximum penalty of 10 years or more.

(2) That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during and in relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device).

## D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: July 30, 2014. BY THE COURT: s/ Thomas D. Thalken

United States Magistrate Judge